

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 6:17-CR-61
	§	(Judge Clark/Mitchell)
THOMAS SHERROD	§	

FACTUAL BASIS

Investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Canton Police Department, and the Van Zandt County Sheriff's Office, disclosed the following facts that establish that I, the Defendant, Thomas Sherrod, violated 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) (Possession with the Intent to Distribute Methamphetamine) as alleged in Count One of the indictment. I accept the following factual basis as true and correct:

1. On or about March 22, 2017 in Canton, Van Zandt County, Texas, in the Eastern District of Texas, deputies with the with the Van Zandt County Sheriff's Office responded to a complaint of an intoxicated person in the front passenger seat of a vehicle at the Duke's Travel Plaza Truck Stop on IH20. As the deputies approached the car, they observed the defendant, sitting in the driver's seat and an apparently intoxicated male in the front passenger seat. The also observed an adult female in the back seat.

2. The deputies asked the defendant to step outside of the vehicle. When the defendant opened the car door to exit, the deputies observed what appeared to be methamphetamine granules wrapped in a plastic bag on the driver's side floorboard.

3. The deputies seized the baggie and it was later determined to contain approximately 27 grams of a mixture containing methamphetamine. 27 grams is a quantity consistent with an intent to distribute.

4. The deputies also recovered a loaded Glock, model 27, .40 caliber pistol, bearing serial number BYW764 from under the driver's seat and the following firearms and ammunition from the back seat area:

- a. Fifty-nine (59) rounds of Winchester-Western .40 caliber ammunition
- b. Marlin model Glenfield 60, .22 caliber rifle, s/n 18390026
- c. Loewe (Germany), model 1893, 7mm caliber rifle, s/n 9J9703
- d. Ruger, model 10/22, .22 caliber rifle, s/n 822-99657
- e. Rohm (Germany), model Liberty 38T, .38 caliber revolver, s/n 189305
- f. Twenty-eight (28) rounds of Federal .22 caliber ammunition
- g. Mosin Nagant, 7.62x53 caliber rifle, s/n PK4669, and a
- h. New England Firearms, Handi-Rifle SB2, .223 caliber rifle, s/n NN403324

5. While at the scene, the defendant voluntarily advised the deputies that he knowingly and exclusively possessed the baggie of methamphetamine recovered from the driver's side floorboard.

6. A check of the defendant's criminal history revealed that he had previously been convicted of the following felony offenses: Unlawful Possession of a Firearm by a Felon, a felony, in Cause Number F-1324770-J, in the #3 Judicial District Court in and for Dallas County, Texas, on April 4, 2014; and, Possession of a Controlled Substance in Penalty Group One, in a quantity greater or equal to 1 gram, but less than four grams, a felony, in Cause Number 2-10-20, in the 382nd Judicial District Court in and for

Rockwall County, Texas, on April 8, 2010; and, Possession of a Controlled Substance, namely Methamphetamine, in the amount of less than one gram, a felony, in Cause Number 21,388, in the 354th Judicial District Court in and for Hunt County, Texas, on April 7, 2003

7. The defendant possessed the methamphetamine with the intent to distribute at least some part of it.

8. The defendant, Thomas Sherrod, acknowledges that these facts constitute a violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) (Possession with Intent to Distribute Methamphetamine).

Dated: 9-27-2017




THOMAS SHERROD
Defendant

Defendant's Counsel's Signature and Acknowledgment:

I have read this Factual Basis and the Plea Agreement in this matter and have reviewed them with my client, Thomas Sherrod. Based upon my discussions with my client, I am satisfied that he understands the terms and effects of the Factual Basis and the Plea Agreement and that he is signing this Factual Basis voluntarily.

Dated: 9/27/2017



KENNETH R. HAWK, II
Attorney for Defendant